

### **REMARKS**

The Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated July 14, 2009 has been received and its contents have been carefully reviewed.

#### **Summary of the Office Action**

Claims 1, 3-6, 8-10, 16, 17, 19-24, 26, 28-35, 39-41, 43-38, 50 and 51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,854,873 to Mori et al.

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 6,002,837 to Niida et al.

Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 5,815,160 to Kikuchi et al.

Claim 25 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 6,192,191 to Suga et al.

#### **Summary of the Response to the Office Action**

Claim 1 has been amended to further clarify the invention. Claims 10, 12, 16, 17, 19-26, 28-35, 39-41, 43-48, 50, and 51 have been cancelled without prejudice or disclaimer.

Accordingly, claims 1 and 3-9 are pending in the present invention for further consideration.

Applicants respectfully request favorable reconsideration in view of the remarks presented herein below.

**All Claims Define Allowable Subject Matter**

Claims 1, 3-6, 8-10, 16, 17, 19-24, 26, 28-35, 39-41, 43-38, 50 and 51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,854,873 to Mori et al. Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 6,002,837 to Niida et al. Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 5,815,160 to Kikuchi et al. Claim 25 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Mori et al. in view of U.S. Patent No. 6,192,191 to Suga et al. Applicants respectfully traverse the rejection for at least the following reasons.

With respect to independent claim 1, as amended, Applicants respectfully submit that Mori et al. does not disclose the claimed combination including at least the feature of “an editor ... makes a new moving image file successively; and a recorder compresses and records the new moving image file on the recording medium each time the new image file is made for a predetermined period.” In the present invention, the new moving image file is made successively, and each time the new image file is made for a predetermined period, a recorder compresses and records the new moving image file on the recording medium (see page 25, lines 5-9 of the present invention). However, Mori et al. is silent about recording the new moving image. Accordingly, Applicants respectfully submit that it is not obvious for an ordinary skill person, that the new moving image file is recorded each time the new image file is made for a predetermined period in Mori et al.

Furthermore, the combination of Niida et al., Kikuchi et al., and Suga et al. does not overcome the deficiency discussed above of Mori et al. Accordingly, Applicants respectfully submit that the rejection of independent claim 1 should be withdrawn.

In addition, claims 3-9 depend from allowable independent claim 1. Applicants respectfully submit that these dependent claims also are allowable at least because of the additional features recited therein and the reasons set forth above.

Further, claims 10, 12, 16, 17, 19-26, 28-35, 39-41, 43-48, 50, and 51 have been cancelled without prejudice or disclaimer, thus rendering these claim rejections moot.

**CONCLUSION**

In view of the foregoing, Applicants respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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